

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* D.C.
05 MAY -2 PM 2:08

ROBERT R. DI TROLIO
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MARY BRUNSON, Individually and as
Executor of the Estate of Naomi Attanasio,
deceased,

Plaintiff,

v.

Case No. 04-2782

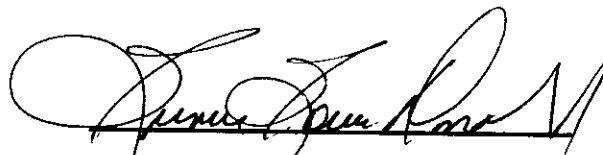
FEDERATED DEPARTMENT STORES,
INC. and METROPOLITAN LIFE
INSURANCE COMPANY,

Defendants.

ORDER DENYING AS MOOT DEFENDANTS' MOTION FOR PROTECTIVE ORDER

Before the court is Federated Department Stores, Inc. and Metropolitan Life Insurance Company's (collectively "Defendants") motion for a protective order, providing that Defendants need not respond to Plaintiff's discovery requests. All issues raised in the complaint were resolved in this Court's Order Granting in Part and Denying in Part Plaintiff's Motion for Summary Judgment and Granting in Part and Denying in Part Defendants' Motion for Judgment on the Record. Thus, the issues raised in the instant motion were made moot by that Order. Accordingly, Defendants' motion is DENIED as moot.

IT IS SO ORDERED this 2nd day of May, 2005.



BERNICE BOUIE DONALD
UNITED STATES DISTRICT COURT



Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 2:04-CV-02782 was distributed by fax, mail, or direct printing on May 4, 2005 to the parties listed.

Joseph Michael Cook
OFFICE OF JOSEPH M. COOK
1707 Kirby Pkwy.
Ste. 200
Memphis, TN 38120

John J. Heflin
BOURLAND HEFLIN ALAREZ & MINOR
5400 Poplar Avenue
Ste. 100
Memphis, TN 38119

Honorable Bernice Donald
US DISTRICT COURT